

John G. McJunkin, (VSB No. 31011)
Daniel J. Carrigan, (Pro Hac Vice)
McKenna Long & Aldridge LLP
1900 K Street, NW
Washington, DC 20006-1108
Phone: (202) 496-7312
Facsimile: (202) 496-7094

Colleen E. McManus (Pro Hac Vice Motion
To Be Filed)
Much Shelist Denenberg Ament & Rubenstein, P.C.
191 N. Wacker Drive, Suite 1800
Chicago, IL 60606
Telephone: 312-521-2000

Counsel for 120 Orchard LLC, 427 Orchard LLC,
FT Orchard LLC and Marc Realty

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
(Richmond Division)**

In re:	*	Chapter 11
	*	
CIRCUIT CITY STORES, INC., <i>et al.</i>,	*	Case No. 08-35653 (KRH)
	*	
Debtors.	*	(Jointly Administered)
* * * * *	*	* * * *

**JOINDER OF 120 ORCHARD LLC, 427 ORCHARD LLC AND FT ORCHARD LLC TO
LANDLORDS' MOTION FOR REHEARING AND/OR RECONSIDERATION AND/OR
TO ALTER OR AMEND THE JUDGMENT REGARDING PAYMENT OF NOVEMBER
RENT AND MEMORANDUM IN SUPPORT THEREOF (DOCKET NO. 1347)**

120 Orchard LLC, 427 Orchard LLC and FT Orchard LLC (collectively, the "Orchard Landlord") by and through their undersigned attorneys, hereby joins in the motion of the Landlords (the "Motions") (Docket No. 1347) to rehear and/or reconsider and/or to alter or amend the Court's December 22, 2008 oral ruling as to whether 11 U.S.C. §356(d)(3) requires the Debtors to make timely payment of November 2008 "stub" rent to the Orchard Landlord with

respect to the lease¹ with the Debtor. The Orchard Landlord further joins in similar, consistent requests that have been or may be filed by other landlords to the Debtors.

WHEREFORE, the Orchard Landlord respectfully requests that the Court enter an Order which (a) grants a rehearing and/or reconsideration of the Court's December 22, 2008, ruling denying immediate payment of November 2008 "stub" rent; (b) authorizes and directs the Debtors to immediately pay the rent owed to the Orchard Landlord pursuant to Section 365(d)(3) of the Bankruptcy Code; (c) authorizes and directs the Debtors to reimburse the Orchard Landlord for all of its reasonable attorney's fees and costs incurred in preparing and prosecuting this Joinder and its prior Motion/Joinder as a result of the Debtors' failure to comply with the terms of the Prime Lease and Section 365(d)(3) of the Bankruptcy Code; (d) authorizes and directs the Debtors to make all future monthly payments of administrative rent and related charges to landlords in full and as when due under their leases; and (e) grants such other and further relief as this Court deems just and proper.

Dated: January 9, 2009

/s/ John G. McJunkin

John G. McJunkin, (VSB No. 31011)

Daniel J. Carrigan (Pro Hac Vice)

McKenna Long & Aldridge LLP

1900 K Street, NW

Washington, DC 20006-1108

Telephone: (202) 496-7312

Facsimile: (202) 496-7094

Email: jmcjunkin@mckennalong.com

and

¹ That certain Lease Agreement dated September 13, 1995, by assignment dated January 30, 2002 (together, the "Prime Lease"), for the nonresidential real property premises located at 4381 Golf Road, Skokie, Illinois; true and accurate copies of documents which constitute the Prime Lease are described in and/or attached to previous filings on behalf of the Orchard Landlord at Docket Nos. 354 and 949 which are incorporated herein by reference.

/s/ Colleen E. McManus

Colleen E. McManus

Much Shelist Denenberg Ament & Rubenstein, P.C.

191 N. Wacker Drive, Suite 1800

Chicago, IL 60606

Telephone: 312-521-2000

Email: cmcmanus@muchshelist.com

***Counsel for 120 Orchard LLC, 427 Orchard LLC,
FT Orchard LLC and Marc Realty***

CERTIFICATE OF SERVICE

I hereby certify that on January 9, 2009, a true and complete copy of the foregoing was filed and served electronically using the Court's ECF System and was sent by first class mail, postage prepaid, to the entities at the addresses indicated below.

Skadden Arps Slate Meagher & Flom, LLP
One Rodney Square
Box 636
Wilmington, DE 19889
Attn: Gregg Galardi, Esq.

Skadden Arps Slate Meagher
& Flom LLP, One Rodney Sq.
PO Box 636
Wilmington, DE 19899
Attn: Ian S. Fredericks

McGuire Woods LLP
One James Center
901 East Cary Street
Richmond, VA 23219
Attn: Joseph S. Sheerin

Attorneys for Circuit City Stores, Inc.

Buchanan Ingersoll & Rooney PC
One Oxford Centre, 20th Floor
Pittsburgh, PA 15219
Attn: James D. Newell
Attn: Zakarij O. Thomas

Counsel for Golf Galaxy, Inc.

Staples
500 Staples Drive
P.O. Box 9271
Framingham, MA 01701-9271
Attn: Edward Wynne

Counsel for Staples

Querrey & Harrow, Ltd.
175 West Jackson Boulevard
Suite 1600
Chicago, IL 60604-2827
Attn: John M. Brom

/s/John G. McJunkin